



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
Before the Board of Patent Appeals and Interferences

AF IFW

In re Patent Application of

Atty Dkt.: 1331-138

C# M#

von BORSTEL et al

TC/A.U.: 1623

Serial No. 08/460,186

Examiner: Owens, H.

Filed June 2, 1995

Date: August 23, 2004

Title: TREATMENT OF CHEMOTHERAPEUTIC AGENT AND ANTIVIRAL AGENT  
TOXICITY WITH ACYLATED PYRIMIDINE NUCLEOSIDES

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

☐ Correspondence Address Indication Form Attached.

☒ **NOTICE OF APPEAL**

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the Examiner twice/finally rejecting applicant's claim(s). (\$ 330.00 ) \$ 330.00

☐ An appeal **BRIEF** is attached in triplicate in the pending appeal of the above-identified application (\$ 330.00) \$

☐ Credit for fees paid in prior appeal without decision on merits -\$ ( )

☒ A reply brief is attached in triplicate under Rule 193(b) (no fee)

☒ Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$420.00/2 months; \$950.00/3 months; \$1480.00/4 months) \$ 950.00

**SUBTOTAL** \$ 1280.00

☐ Applicant claims "Small entity" status, enter 1/2 of subtotal and subtract -\$ ( )

☐ "Small entity" statement attached.

**SUBTOTAL** \$ 1280.00

Less two month extension previously paid on July 23, 2004 -\$ ( 420.00)

**TOTAL FEE ENCLOSED** \$ 860.00

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension. The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our **Account No. 14-1140**. A duplicate copy of this sheet is attached.

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NIXON & VANDERHYE P.C.  
By Atty: Leonard C. Mitchard, Reg. No. 29,009

Signature: \_\_\_\_\_

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01 FC:1402  
02 FC:1253

330.00 OP  
530.00 OP